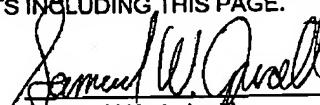


CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. 1.6 &1.8

I CERTIFY THAT THIS CORRESPONDENCE IS BEING TRANSMITTED BY FACSIMILE TO THE PATENT AND TRADEMARK OFFICE ON THE DATE AND TO THE NUMBER SHOWN BELOW. FAX. NO. 703-872-9306 COMPRISING THIRTEEN (13) SHEETS INCLUDING THIS PAGE.

Date: August 3, 2004



Samuel W. Apicelli
Reg. No. 36,427

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/823,902
 Applicant : Gardner, Jr. et al.
 Filed : Herewith
 Title : METHOD FOR DETECTION OF PATHOGENIC MICROORGANISMS
 TC/A.U. : 2877
 Examiner : Evans, Fannie L.
 Docket No. : E2079-00006

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Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Please find enclosed for filing:

- Amendment.
- Please charge the fee for 1 extra independent claim, namely \$43.00, and any other fees in connection with this matter to Deposit Account No. 04-1679. This transmittal sheet submitted in duplicate.
- Certificate of Facsimile

Date: 8/3/04

Respectfully Submitted,



Samuel W. Apicelli
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 Customer No. 000041396
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 Harrisburg, PA 17108-1003
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HBG\128737.2

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PRELIMINARY AMENDMENT

Sir:

Preliminary to the examination of the above-identified Continuation Application, please amend the Application as follows:

Amendment to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 11 of this paper.